REMARKS

The Examiner is thanked for the careful examination of the application, and for the indication of allowable subject matter in claims 7, 8, 20 and 21. In response to the Official Action, certain amendments have been made and new claims 27-36 have been added. New claims 27-36 correspond to claims 1-10, except that they do not include means plus function elements.

Claims Objections:

The Examiner has suggested that the "adjusting color calculating means" of claims 7 and 8 should be "color adjusting means" to correspond to the language of claim 1. However, antecedent basis for the adjusting color calculating means is found in claim 4. Accordingly, the terms of claims 7 and 8 should not be changed.

35 U.S.C. §101:

In response to the rejection of claims 14-23, claims 14-23 have been amended to comply with the requirements of 35 U.S.C. §101.

Art Rejections:

Claims 1-4, 6, 9, 10, 14-17, 19, 22, and 24-26 have been rejected under 35 U.S.C. §102(b) as being allegedly anticipated by the translation of JP 01-025285, hereinafter *Honda*. The Office Action alleges that *Honda* discloses a first color detection means for detecting colors of a first image data by each processing unit by the bit memory 3 which allegedly detects the values of the pixels. However, in *Honda*, the bit map memory 3 clearly does not detect colors of the first image data.

According to a preferred embodiment of the present invention, the first image data corresponds to the foreground of a image that includes foreground data such as text on top of background data. In the exemplary embodiment, the second image data corresponds to the background data.

According to claim 1, colors of the first image data are detected by first color detection means and colors of the second image data are detected by a second color detection means. A color adjusting means then compares the first image data to the second image data and specifies a uniform adjusting color that makes the first image data recognizable against all colors of the second image data.

In contrast to claim 1, *Honda* does not include any structure which corresponds to the first color detection means of claim 1. Specifically, in *Honda*, the text data is input as character code, and does not include any color information. *Honda* analyses the background color and selects an appropriate color for the text. However, *Honda* does not teach a first color detection means which detects colors of the text, and does not teach a color adjusting means for specifying a uniform adjusting color. In view of the fact that the text data in *Honda* has no color information associated with it, it is not possible to adjust such color.

Accordingly, *Honda* does not teach or suggest the combination of claim 1 that includes, among other elements, a first color detection means and a color adjusting means. Accordingly, claim 1 and dependent claims 2-4, 6, 9 and 10 are clearly patentable over *Honda*.

A similar analysis pertains to claims 14 and 24, which also relate to detecting colors of first image data and detecting colors of second image data. As set forth above with respect to claim 1, the input text data of *Honda* does not have any color information associated with it. Accordingly, there cannot be any such first color detecting.

Accordingly, claims 14 and 24 and the dependent claims 15-17, 19, 22, 25, and 26 are also patentable over *Honda*.

Claims 5 and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Honda* in view of U.S. Patent No. 5,930,385, hereinafter *Fujimoto*. And, claims 11-13 and 23 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Honda* in view of U.S. Patent No. 5,872,573, hereinafter *Adegeest*. However, the portions of *Fujimoto* and *Adegeest* relied upon by the Examiner do not overcome the deficiency of the teaching of *Honda* with respect to the independent claims 1, 14 and 24. Accordingly, the dependent claims 5, 11-13, 18 and 23 are also patentable over the applied prior art.

To further define the protection to which Applicants are entitled, new claims 27-36 have been added. New claims 27-36 are similar to claims 1-10, except that they do not use means plus function elements. Accordingly, claims 27-36 are also patentable over the applied prior art at least for the reasons set forth above.

In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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